

ARMAND J. KORNFELD (WSBA #17214)
THOMAS A. BUFORD (WSBA #52969)
RICHARD B. KEETON (WSBA #51537)
BUSH KORNFELD LLP
601 Union Street, Suite 5000
Seattle, WA 98101
Tel.: (206) 292-2110
Facsimile: (206) 292-2104
Emails: jkornfeld@bskd.com,
tbuford@bskd.com, and rkeeton@bskd.com

HONORABLE WHITMAN L. HOLT
EX PARTE

RICHARD M. PACHULSKI (CA Bar #90073)*
JEFFREY W. DULBERG (CA Bar #181200)*
JASON H. ROSELL (CA Bar #269126)*
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067-4003
Tel: (310) 277-6910
Facsimile: (310) 201-0760
Emails: rpachulski@pszjlaw.com,
jdulberg@pszjlaw.com, and
jrosell@pszjlaw.com

*Admitted *Pro Hac Vice*

*Attorneys for the Plaintiffs and Chapter 11
Debtors and Debtors in Possession*

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

| | |
|--|--------------------------------------|
| In re | Chapter 11 |
| EASTERDAY RANCHES, INC., <i>et al.</i> | Lead Case No. 21-00141-WLH11 |
| Debtors. ¹ | Jointly Administered |
| EASTERDAY RANCHES, INC., and EASTERDAY FARMS, | Adv. Proc. No. 21-80044-WLH |
| Plaintiffs, | EX PARTE STIPULATED MOTION TO |
| vs. | EXTEND CERTAIN DEADLINES |
| RABO AGRIFINANCE LLC, | |
| Defendant. | |

¹ The Debtors along with their case numbers are as follows: Easterday Ranches, Inc., (21-00141-WLH11) and Easterday Farms, a Washington general partnership (21-00176-WLH11).

**EX PARTE STIPULATED MOTION TO
EXTEND CERTAIN DEADLINES –
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BUSH KORNFELD LLP
LAW OFFICES
601 Union St., Suite 5000
Seattle, Washington 98101-2373
Telephone (206) 292-2110
Facsimile (206) 292-2104

1 Easterday Ranches, Inc. (“Ranches”) and Easterday Farms (“Farms”), the debtors
2 and debtors in possession and plaintiffs in the above-captioned adversary proceeding
3 (the “Debtors”), and Rabo Agrifinance LLC (“Rabo,” and together with the Debtors,
4 the “Parties”), the defendant herein, jointly move the court on an *ex parte* basis (the
5 “Motion”), pursuant to 11 U.S.C. § 105(a) and Federal Rule of Bankruptcy Procedure
6 9006(b), for entry of an order extending certain deadlines in the above-captioned
7 adversary proceeding (the “Adversary Proceeding”).

8 This Adversary Proceeding was commenced on June 28, 2021, upon the filing of
9 the Debtors’ Complaint. *See* Docket No. 1 (the “Complaint”). The Complaint generally
10 seeks injunctive relief prohibiting Rabo from undertaking or pursuing collection efforts
11 against the Easterday Partners (as defined in the Complaint) through and including the
12 effective date of a plan, including by way of the Rabo Action (as defined in the
13 Complaint), which is being actively pursued against the Partners.

14 Contemporaneously with the filing of the Complaint, the Debtors filed their
15 *Motion for a Temporary Restraining Order and Preliminary Injunction* [Docket No. 2]
16 (the “TRO Motion”), together with a *Memorandum of Law* [Docket No. 3] and
17 *Declaration of T. Scott Avila* [Docket No. 4] in support of the TRO Motion. The TRO
18 Motion was initially set for hearing on July 2, 2021 (the “Hearing”). *See Notice of*
19 *Hearing*, Docket No. 5. Rabo appeared in this Adversary Proceeding through counsel,
20 who in turn acknowledged service of the Summons and Complaint on behalf of Rabo.
21 *See Acknowledgement of Service*, Docket No. 11. The Parties conferred and agreed to
22 continue the Hearing to July 21, 2021 at 2:00 p.m.

23 The Parties have continued to actively communicate and now desire to further
24 continue the Hearing on the TRO Motion as well as extend other deadlines related to
25 the TRO Motion and this Adversary Proceeding. Specifically, the Parties agree as
26 follows:

27 *EX PARTE* STIPULATED MOTION TO
28 EXTEND CERTAIN DEADLINES –
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BUSH KORNFIELD LLP
LAW OFFICES
601 Union St., Suite 5000
Seattle, Washington 98101-2373
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Facsimile (206) 292-2104

1 1. The Hearing on the TRO Motion shall be continued to August 25, 2021 at
2 1:30 p.m. to be held concurrently with the Scheduling Conference in this matter.

3 2. The deadline for Rabo to file a written response or objection to the TRO
4 motion shall be extended to August 16, 2021.

5 3. The deadline for Rabo to file an answer or other responsive pleading to the
6 Complaint shall be extended to August 27, 2021.

7 4. The deadline for the Easterday Partners and any other defendant in the
8 Rabo Action to file an answer or responsive pleading in the Rabo Action shall be
9 extended to August 27, 2021.²

10 WHEREFORE, the Parties jointly request the court enter an order, substantially
11 in the form submitted herewith, extending those certain deadlines as set forth above and
12 granting such other and further relief as may be just and proper under the circumstances.

13 DATED: July 19, 2021

BUSH KORNFELD LLP

/s/ Thomas A. Buford, III

THOMAS A. BUFORD, III (WSBA 52969)
BUSH KORNFELD LLP

RICHARD M. PACHULSKI (*Admitted Pro Hac Vice*)
JEFFREY W. DULBERG (*Admitted Pro Hac Vice*)
JASON H. ROSELL (*Admitted Pro Hac Vice*)
PACHULSKI STANG ZIEHL & JONES LLP

*Attorneys for Plaintiffs and Debtors and Debtors in
Possession*

14 DATED: July 19, 2021

RAY QUINNEY & NEBEKER P.C.

/s/ David H. Leigh

DAVID H. LEIGH (WSBA 40031)
MICHAEL R. JOHNSON (*Admitted Pro Hac Vice*)
RAY QUINNEY & NEBEKER P.C.

Attorneys for Defendant Rabo Agrifinance LLC

25 _____
26 ² The Parties shall separately seek relief for this specific provision in the Rabo Action, and
inclusion herein is for informational purposes only to evidence such agreement.